

1 RICHARD SEGERBLOM, ESQ.
2 704 South Ninth Street
3 Las Vegas, Nevada 89101
4 Tel: (702) 388-9600

5 Attorney for Plaintiff

RECEIVED
OCT 20 10 31 AM '99

BY 

6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF NEVADA

8 MARK A. ARAGON,)

9 Plaintiff,)

10 vs.)

11 REPUBLIC SILVER STATE)
12 DISPOSAL, INC.,)

C O M P L A I N T

CV-S-99-1461-PMP-LRL

13 Defendant.
14

15 COMES NOW Plaintiff above-named, by and through his
16 attorney RICHARD SEGERBLOM, ESQ., and complains of Defendant
17 as follows:

18 I.

19 This is a civil rights action based upon 42 U.S.C. Section
20 1981 and Title VII of the 1964 Civil Rights Act.

21 II.

22 Plaintiff, a white male, is a resident of Clark County,
23 Nevada, and at all times relevant herein was an employee of
24 the Defendant.

25 III.

26 Defendant is a Nevada corporation doing business in Clark
27 County, Nevada, and at all times relevant was Plaintiff's
28 employer.

1 IV.

2 Plaintiff was hired by Defendant on or about September 14,
3 1998.

4 V.

5 On October 30, 1998, Plaintiff was laid off because of his
6 race, white. Less senior and less qualified non-white
7 employees were treated more favorably than Plaintiff. As a
8 direct result of the Defendant's discriminatory treatment,
9 Plaintiff has suffered financial loss, physical injuries and
10 emotional distress resulting from those physical injuries.

11 VI.

12 The above described acts of Defendant were wanton, willful,
13 malicious and done with a reckless disregard for Plaintiff's
14 federally protected rights.

15 VII.

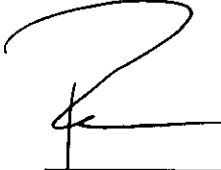
16 Plaintiff filed a Charge of Discrimination with the Nevada
17 Equal Rights Commission and has received a Right to Sue letter
18 from the Equal Employment Opportunity Commission, and this
19 complaint is being filed within ninety (90) days of that
20 determination.

21 WHEREFORE, Plaintiff prays for the following relief:

- 22 1. Reinstatement, with full backpay, benefits, seniority,
23 and prejudgment interest;
24 2. Front pay, if reinstatement is not feasible;
25 3. Compensatory damages in the amount of \$300,000;
26 4. Punitive damages in the amount of \$300,000;
27 5. Attorney's fees and costs of suit; and

1 6. Such other and further relief as the Court may wish
2 to entertain.

3 DATED this 18th day of October, 1999.

4
5
6
7 
8 _____
9 RICHARD SEGERBLOM, ESQ.
10 704 South Ninth Street
11 Las Vegas, Nevada 89101
12 Attorney for Plaintiff
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CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.

AGENCY

CHARGE NUMBER

☒ FEPA

041999315L

☐ EEOC

34B990584

Nevada Equal Rights Commission and EEOC
State or local Agency, if any

NAME (Indicate Mr., Ms., Mrs.)

HOME TELEPHONE (Include Area Code)

Mr. Mark A. Aragon

(702) 651-1376

STREET ADDRESS

CITY, STATE AND ZIP CODE

DATE OF BIRTH

714 Williams, North Las Vegas, NV 89030

10/12/70

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)

NAME NUMBER OF EMPLOYEES, MEMBERS TELEPHONE (Include Area Code)

Silver State Disposal

201 - 500 Employees

(702) 399-1900

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

315 W. Cheyenne Ave., North Las Vegas, NV 89030

003

NAME TELEPHONE NUMBER (Include Area Code)

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))

☒ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN
☐ RETALIATION ☐ AGE ☐ DISABILITY ☐ OTHER (Specify)DATE DISCRIMINATION TOOK PLACE
EARLIEST LATEST

10/30/98 10/30/98

☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):

I was hired September 14, 1998. On October 30, 1998, I was laid off. I filed my complaint with the Nevada Equal Rights Commission on November 17, 1998.

Respondent stated the reason for the lay off was "reduction in force".

I believe that I was discriminated against because my race, White, as follows:

On October 30, 1998, I was laid off by Mac(lnu), Foreman, for the above stated reason. Mac hand picked about twelve of us for the lay off. Only White males were included in the lay off. Mac did not attempt to include any non Whites in the lay off. The remainder of the force were given work assignments.

It is my contention that my race was a factor in the adverse action I suffered, in that only White males received the adverse treatment.

RECEIVED
NATIONAL EQUAL RIGHTS
COMMISSION
OCT 21 1999

☒ I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY (When necessary for State and Local Requirements)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

I declare under penalty of perjury that the foregoing is true and correct.

SIGNATURE OF COMPLAINANT

Mark A. Aragon

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(Day, month, and year)

10-19-99

Date 10-19-99
EEOC FORM 5 (Rev. 06/92)

Charging Party (Signature)

EQUAL EMPLOYMENT OPPORTUNITY COM ON

NOTICE OF RIGHT TO SUE

(Issued on request)

To: Mark A Aragon
714 WILLIAMS
NORTH LAS VE, NV 89030

From:
EQUAL EMPLOYMENT OPPORTUNITY COMM.
Equal Employment Opportunity Comm.
255 East Temple Street 4th floor
Los Angeles CA 90012

☐ On behalf of a person aggrieved whose identity is **CONFIDENTIAL**
(29 C.F.R. 1601.7(a))

Charge Number

34B990584

EEOC Representative

Legal Officer Of The Day

Telephone Number

(213) 894-1000

(See the additional information attached to this form)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act (ADA): This is your notice of Right to Sue. It is issued under Title VII and/or the ADA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII or the ADA must be filed in federal court WITHIN 90 DAYS of your receipt of this Notice. Otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

- ☐ More than 180 days have passed since the filing of this charge.
- ☒ Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of the charge.
- ☒ The EEOC is terminating its processing of this charge.
- ☐ The EEOC will continue to process this charge.

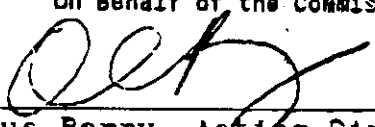
Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, the paragraph marked below applies to your case:

- ☐ The EEOC is closing your case. Therefore, your lawsuit under the ADEA must be filed in federal court WITHIN 90 DAYS of your receipt of this Notice. Otherwise, your right to sue based on the above-numbered charge will be lost.
- ☐ The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of your charge, you may file suit in federal or state court under the ADEA at this time.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required). EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

If you file suit based on this charge, please send a copy of your court complaint to this office.

On Behalf of the Commission


Olophius Perry, Acting Director

August 4, 1999

(Date)

Enclosure(s)

cc: Executive Officer
SILVER STATE DISPOSAL
315 W. CHEYENNE AVE.
NORTH LAS VE, NV 89030